Calendar No. 1050

82D CONGRESS, 2d Session | SENATE | REPORT No. 1122

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KANE SHINOHARA

JANUARY 28 (legislative day, JANUARY 10), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1085]

The Committee on the Judiciary, to which was referred the bill (S. 1085) for the relief of Kane Shinohara, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That the provisions of section 13 (c) of the Immigration Act of 1924, as amended, relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Kane Shinohara, the Japanese fiancée of Glenn L. Cornell, a citizen of the United States, and that the said Kane Shinohara may be eligible for a nonquota immigration visa if she is found otherwise admissible under the immigration laws: *Provided*, That the administrative authorities find that marriage between the above-named parties occurred within three months immediately succeeding the enactment of this Act.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide for the admission into the United States of the Japanese fiancée of a citizen of the United States, provided that their marriage occurs within 3 months following the enactment of the bill. The bill has been amended because the citizen fiancé of the beneficiary of the bill is in Japan and it is not necessary to provide for her admission into the United States as the fiancée of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 32-year-old native and citizen of Japan and is the fiancée of Glenn L. Cornell, a native-born citizen of the United States who is a civilian employee of the army of occupation in Japan. Inasmuch as Mr. Cornell is not a veteran of World War II, the provisions of Public Law 717 of the Eighty-first Congress as extended by Public Law 6 of the Eighty-second Congress are not applicable in this case.

A letter dated October 22, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

OCTOBER 22, 1951.

Hon. PAT MCCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1085) for the relief of Kane Shinohara, an alien.

The bill would render the provisions of the immigration laws relating to exclusion of aliens inadmissible because of race inapplicable in the case of Kane Shinohara, the Japanese fiancée of Glenn L. Cornell, and would provide that she may be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if she is found to be otherwise admissible under the immigration laws, and provided that, upon the receipt within 90 days after her entry, of satisfactory proof of her marriage to Glenn L. Cornell and payment of the required head tax and visa fee, the Attorney General be directed to record her lawful admission for permanent residence as of the date of her entry into the United States. The bill would further provide that if no such proof is furnished within 90 days after such date, Miss Shinohara shall be required to depart from the United States and upon failure to do so shall be deported.

The files of the Immigration and Naturalization Service of this Department disclose that Miss Shinohara, who is of the Japanese race, was born on January 15, 1919, at Konsu, Machi, Japan. She is presently residing in Japan. The alien's fiancé, Mr. Glenn L. Cornell, was born on June 29, 1914, at Rugby, N. Dak. He is presently employed in Japan by the United States occupation as a snack-bar manager. According to Mr. Sam L. Cornell, the father of Glenn Cornell, his son was formerly a seaman, and he was last employed as a steward for the United States Army Transport Service.

The alien, being of the Japanese race, is ineligible for naturalization under section 303 of the Nationality Act of 1940 and thus inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. The record presents no facts, however, which would warrant granting the alien a preference over the many other aliens similarly situated, through the means of special legislation.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Senator Warren G. Magnuson, the author of the bill, has submitted the following information in connection with the case:

FEBRUARY 23, 1951.

Mr. WARREN MAGNUSON,
Washington, D. C.

DEAR SENATOR MAGNUSON: I have received your letter asking for statements about my prospective bride and myself. I am enclosing in this letter statements from various people that know both Miss Shinohara and myself and also a statement from my employer. These statements are translated from the original statements in Japanese that are on file in Yokohama in the offices of the Japan Logistical Command, Eighth Army Central Exchange. If it is possible I would

appreciate having you send them back to me when you have finished with them as I will still have to go through their office to complete my marriage.

Miss Shinohara completed her middle-school education and is now on her third year of English grammar.

All through the period of the war with Japan and for 2 years after Miss Shinohara stayed at her parents' home helping to take care of her father, who was ill.

I hope to return to the States within 1 year after my marriage to Miss Shinohara unless a suitable business opportunity occurs for me here in Japan. I have sufficient finances to purchase my own business and if a good business opportunity does not come through I intend to return to the States and buy my own business. I have had 12 years' experience in food service. I also have $6,000 worth of life insurance, of which my bride will be made the benefactor.

I am grateful for the interest you have shown in my behalf. If there is any more information or statements that you need I will be happy to send them on to you.

Sincerely yours,

GLENN L. CORNELL,
General Headquarters, Headquarters and Service Group, Branch No. 1, A. P. O. 500, care of Postmaster, San Francisco, Calif.

No. 2058 KONOSU MACHI,
Kita Adachiaun, Siatama Prefecture.

To Whom It May Concern:

CHARACTER STATEMENT

I testify that I have known Miss Shinohara since her birth. I also have known her parents and her grandparents very well.

I have known Mr. Cornell for 3 years, and I have often talked to both Mr. Cornell and Miss Shinohara. I thoroughly approve of the union of these two people and feel certain that their marriage will be a happy and lasting union.

Miss Shinohara is a deeply religious person and will often go out of her way to help more unfortunate people. She has been studying English for 3 years, and is active in neighborhood affairs.

KAISHIN AKIYAMA,
Buddhist Monk of Ikenoin Temple,
Committee of Health and Welfare, City of Konosu.

No. 135 HOMOKU MANZAKA,
Nakaku, Yokohama, Japan.

To Whom It May Concern:

CHARACTER STATEMENT

I certify that I have known Miss Shinohara for 5 years and that I have been her instructor in the English language for 3 years. She is an excellent student and very studious.

As a neighbor of Miss Shinohara I can state that she is active and cooperative in community affairs and helps out with our PTA meetings. Her conduct at all times is that of a lady of good breeding and she attends her church regularly.

I have known Mr. Cornell for 3 years and in that time I have found him to be most understanding and helpful to other people.

I feel sure that if Mr. Cornell and Miss Shinohara are granted permission to marry that their marriage will be a successful one.

MRS. Y. O. SAWA,
Teacher of Elementary School in Yokohama.

No. 21 YAMASHITA CHO NOKAKU,
Yokohama, Japan.

To Whom It May Concern:

A CHARACTER STATEMENT

Miss Shinohara has been a friend of our family for more than 5 years and during that time she has been a gentle and warm-hearted woman. She is honest and upright and punctual in her acts or deeds. She has a strong will to fight against

injustice and is always helping other people. I believe that Miss Shinohara will be a good American citizen because she fights here in Japan for American rights for the Japanese people. She is a firm believer in her religion and is well liked by all her associates.

I have known Mr. Cornell since the first part of 1946 when he came to Japan, as I was at that time employed by the Army Transport Service and had many meetings with him in the line of business. Mr. Cornell showed rare understanding of the Japanese employees whom he supervised and as a result many of those same Japanese are still working as cooks for MSTS. I have always found Mr. Cornell to be an honest and hard-working person, and from my association with both Miss Shinohara and Mr. Cornell I feel sure that their marriage would succeed.

S. TAGUCHI,
Head Bookkeeper for Jardine Matheson & Co.

HEADQUARTERS JAPAN LOGISTICAL COMMAND,
JAPAN CENTRAL EXCHANGE,
A.P.O. 503, February 13, 1951.

PX-P 201. Cornell, Glenn L. (JCE).
Subject: Status of Mr. Glenn L. Cornell.

To Whom It May Concern:

1. Mr. Glenn L. Cornell, civilian employee of the Japan Central Exchange, A. P. O. 503, has been employed by this organization since June 29, 1950. Position title: Snack-bar manager (GS-7).

2. The Japan Central Exchange interposes no objection to the marriage between Mr. Cornell and Miss Kane Shinohara, Japanese national, subject to approval of necessary authorities and compliance with existing directives in this regard.

3. Report of investigation by Four Hundred and Forty-first Counterintelligence Corps Detachment, A. P. O. 503, and the Municipal Police Force, Yokohama Municipal Police, Yamate Police Station, Yokohama, Japan, reveals no derogatory or unfavorable information in regards to the character or history of Miss Shinohara.

For the Japan Central Exchange Officer:

P. LOWRY,
Lieutenant Colonel, Infantry, Chief, Administration Division.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1085), as amended, should be enacted.

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